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DEC 28 1999

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS

In re Application of :
Wu and Nie :
Application No. 09/083,410 : DECISION ACCORDING STATUS
Filed: May 22, 1998 : UNDER 37 CFR 1.47(b)
For: SOLUTION HYBRIDIZATION OF :
NUCLEIC ACIDS WITH ANTISENSE PROBES:
HAVING MODIFIED BACKBONES

This is in response to the "Petition Under 37 CFR 1.47(b)," filed May 22, 1998.

The petition is granted.

Petitioner has shown that the non-signing inventors have refused to join in the filing of the above-identified application after having been presented with the application papers. In addition, petitioner has shown that Lorne Park Research Inc. has a proprietary interest in the above-identified application with the copy of the employment agreement showing that the inventor had an obligation to assign any patent rights to Genetic Diagnostics Company and the evidence of change of name. The petition fee will be charged to petitioner's deposit account. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that petitioner has shown that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status.

As provided in Rule 1.47(b), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, petitioner's deposit account No. 03-0075, will be charged the required \$130 petition fee as authorized in the transmittal letter.

Thereafter, the application will be forwarded to the Office of Patent Publication.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)306-3159.



Karin Tyson
Senior Legal Advisor
Special Program Law Office
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects



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Washington, D.C. 20231

Eillen Xiao-Feng Nie
4 Dalmeny Road
Thornhill M5H 3R3
CANADA

In re Application of
Wu and Nie
Application No. 09/083,410
Filed: May 22, 1998
For: Solution Hybridization of Nucleic Acids with Antisense
Probes Having Modified Backbones

Dear Ms. Nie:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 118 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (703)305-9285. Requests for information regarding your application should be directed to the File Information Unit at (703)308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382.


Karin Tyson

Senior Legal Advisor, Special Program Law Office
Office of the Deputy Assistant Commissioner
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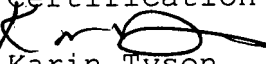
In re Application of
Wu and Nie
Application No. 09/083,410
Filed: May 22, 1998
For: Solution Hybridization of Nucleic Acids with Antisense
Probes Having Modified Backbones

Dear Mr. Wu:

You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 118 (United States Code), and 37 CFR 1.47(b), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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